

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

UNITED STATES DISTRICT COURT

for the
District of

2021 DEC - 7 AM 10: 16

OFFICE OF THE CLERK

Division

Case No.

8:21cv463

(to be filled in by the Clerk's Office)

Kenneth Eugene Thompson

Plaintiff(s)

*(Write the full name of each plaintiff who is filing this complaint.
If the names of all the plaintiffs cannot fit in the space above,
please write "see attached" in the space and attach an additional
page with the full list of names.)*

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City of Omaha - Police Department

Defendant(s)

*(Write the full name of each defendant who is being sued. If the
names of all the defendants cannot fit in the space above, please
write "see attached" in the space and attach an additional page
with the full list of names. Do not include addresses here.)*

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DEC 07 2021

CLERK
U.S. DISTRICT COURT

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which
you have been known:

ID Number

Current Institution

Address

~~City of Omaha Police department,~~
~~Kenneth Eugene Thompson~~
~~7105 17th St DCC~~
~~Omaha Police dept~~
~~7105 17th St City of Omaha Nebraska~~
~~Omaha~~ ~~NE~~ ~~68102~~

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City of Omaha NE
Police dept

City

State

Zip Code

Individual capacity Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

Individual capacity Official capacity

Defendant No. 3

Name			
Job or Title (<i>if known</i>)			
Shield Number			
Employer			
Address			
	City	State	Zip Code
	<input type="checkbox"/> Individual capacity		<input type="checkbox"/> Official capacity

Defendant No. 4

Name			
Job or Title (<i>if known</i>)			
Shield Number			
Employer			
Address			
	City	State	Zip Code
	<input type="checkbox"/> Individual capacity		<input type="checkbox"/> Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- Federal officials (a *Bivens* claim)
 State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?**C.** Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

I am victim of Police Brutality / ASSault / excessive force

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Police Brutality

Omaha Police "35th district" used excessive force and beat me on film,

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other (explain) detained now on different matter

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N. 24th St approx. Nov. 2019 at Cristina Stover house

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

C. What date and approximate time did the events giving rise to your claim(s) occur?

Sepor 2019
approximately Nov ~~2019~~ 10:00 PM

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) I was tazed twice by two Omaha cops then those 2 kicked and stomped my legs as I fled me off as now a total of ten (10) cops punched me repeatedly in my face, ribs back ect. I was unarmed laying down with my both hands up on the porch of Cristina Stover which is where I was located by officers after I ran from unmarked car a few blocks away unaware of law. Cristina's home surveillance captured "16 cops total" Beat me 6 ~~times~~ times Gang unit came a week later taking her hard drive ^{watched} But we have it on Social media a copy.

V. Injuries If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Bloody face, blackened eye, bruised ribs and back my legs bruised and nose bloody. I have DVT's, blood clots already so the stomping of my legs only hurt more. I was seen by FMT and begged them to not leave me alone with cops until new cops arrived. I have been traumatized and in fear of safety.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want justice and financial compensation. I want the court to award me \$300,000 "three hundred thousand dollars immediately and to not publicize "go public" about this situation as all other actions, officers accountability, is out of my hand not my business after I'm paid for my pain, suffering and humiliation and signed agreement.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

E. If you did file a grievance:

1. Where did you file the grievance?

NA

2. What did you claim in your grievance?

NA

3. What was the result, if any?

NA

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (*Describe all efforts to appeal to the highest level of the grievance process.*)

NA

F. If you did not file a grievance:

- If there are any reasons why you did not file a grievance, state them here:

Scared and dont know what to do

- If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Public defender Brian Craig has Video
Lee Daniels "excuse my
judge wheelchair spelling"

Havent told but the Video Speaks

To Brian Craig, Judge wheelchair
Lee Daniels prosector

- Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

All law officials shouldnt be judged or condemned
To See Video 16 cops 10 "assaulting me 16 do nothing looks bad
Call my kids 402 609 6092 hurts worse and I could have died. Video IS "WOW"
Mercedes Jones has video 402 912 5981

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

Yes

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) _____
Defendant(s) _____

N/A

2. Court (*if federal court, name the district; if state court, name the county and State*)

3. Docket or index number

N/A

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition.

7. What was the result of the case? (*For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?*)

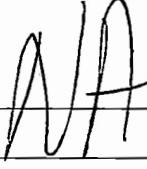
- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

N/A

Yes No

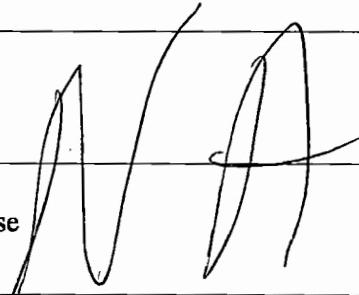
- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) _____ 

Defendant(s) _____

2. Court (*if federal court, name the district; if state court, name the county and State*)

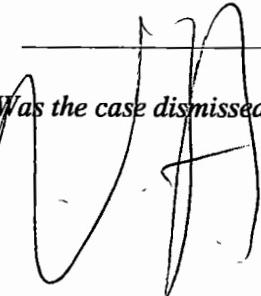
3. Docket or index number
_____ 

4. Name of Judge assigned to your case
_____ 

5. Approximate date of filing lawsuit

6. Is the case still pending?

 Yes No

If no, give the approximate date of disposition
_____ 

7. What was the result of the case? (*For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?*)

Kenneth Thompson

Printed Name

(1116173) (C-17)

Data # Module #

Douglas County
DEPARTMENT OF CORRECTIONS
710 SOUTH 17TH STREET
OMAHA, NEBRASKA 68102

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U.S. DISTRICT COURT

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Barn Swallow

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